



EPK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Akihiko YOSHIDA, et al. Art Unit: 1745

Application No.: 10/730,256

Filed: December 9, 2003

For: ELECTROLYTE MEMBRANE-ELECTRODE ASSEMBLY FOR FUEL CELL
AND OPERATION METHOD OF FUEL CELL USING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

In response to the Restriction Requirement of July 9, 2007,
Applicants hereby elect Group I, claims 1-36, with traverse.

Applicants respectfully request withdrawal of the Restriction Requirement. No unduly extensive or burdensome search would be required to examine the various claims of the noted Groups in the same application. MPEP §803 states:

"If the search and examination of all the claims in an application can be made without serious burden, the Examiner must examine them on the merits, even though they include claims to distinct or independent inventions." (Emphasis added)

In the present case, the search for all pending claims together would not be burdensome.

Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to

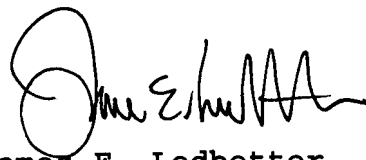
separate applications if the present Restriction Requirement is maintained, it is clear that there is substantially more burden on Applicants by imposing the present Requirement than on the Patent Office if the Requirement were withdrawn.

In addition, it is noted that to require the claims of the various Groups to issue in separate patents would result in inconvenience to the public by necessitating reference to more than one patent during searching, to review closely related subject matter.

Therefore, withdrawal of the Restriction Requirement is warranted.

Reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Ledbetter", with a stylized, flowing script.

James E. Ledbetter
Registration No. 28,732

Date: April 27, 2007

JEL/ejw
ATTORNEY DOCKET NO. L7990.03103
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, NW, Suite 850
P.O. Box 34387
Washington, DC 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200